

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**G. DAVID IVERSON
and ACCESS WITH SUCCESS, INC.,**

Plaintiffs

v.

**CITY OF BOSTON,
MASSACHUSETTS,**

Defendant

CIVIL ACTION NO.: 04-CV-11825-NMG

**THIRD ASSENTED TO MOTION OF THE PLAINTIFFS
(WITH MEMORANDUM OF REASONS) TO ENLARGE TIME
IN WHICH TO RESPOND TO DEFENDANT'S MOTION TO DISMISS**

The plaintiffs respectfully move the Court under Fed. R. Civ. P. 6(b) for an order enlarging the time in which to respond to the defendant's motion to dismiss under Fed. R. Civ. P. 12(b)(6).

As grounds for their motion, the plaintiffs state as follows:

1. The defendant's motion was filed and served electronically on October 25, 2004;
2. Under Local Rule 7.1(B)(2) an opposition would be due on November 9, 2004;
3. The plaintiffs believe that they have meritorious arguments against the motion;
4. Plaintiff's counsel requires additional time to prepare an affidavit that is more expansive than originally anticipated;
5. The defendant has assented to an enlargement of time up to and including, Tuesday, December 7, 2004.

WHEREFORE, the plaintiffs respectfully request that the Court will enter an order enlarging the time in which they may oppose the defendant's motion until to December 7, 2004.

Respectfully submitted,
The Plaintiffs, G. David Iverson, et al,

By their Attorney,

Dated: December 1, 2004

/s/ NicholasS.Guerrera
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CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of the above document was served upon the attorney of record for each party by mail pursuant to Fed. R. Civ. P. 5.

/s/ NicholasS.Guerrera
Nicholas S. Guerrero

Dated: December 1, 2004